

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

In re: ORGANIC POWER, LLC, Debtor.	Chapter 11 Bankruptcy Case No. 19-01789 (EAG)
ORGANIC POWER, LLC. Plaintiff, v. THE U.S. SMALL BUSINESS ADMINISTRATION and JOVITA CORRANZA, solely as Administrator of the United States Small Business Administration, Defendants.	Adv. No. 20-00055-EAG

UNITED STATES' NOTICE REGARDING TEMPORARY RESTRAINING ORDER

During the June 29, 2020 hearing in the above-entitled matter, this Court inquired about extending the temporary restraining order that the Court first entered on May 8, 2020 (Dkt. 29) while the Court considers this matter and issues its decision. The Court permitted the parties until July 2, 2020 to request any revisions to the temporary restraining order. The United States, on behalf of the U.S. Small Business Administration and Jovita Carranza in her capacity as Administrator of the U.S. Small Business Administration, respectfully requests that the Court include the following statements in any order extending the temporary restraining order in this case: “The Court recognizes that Organic Power LLC, pursuant to this Court’s prior temporary restraining order (see Dkt. 29), has filed a PPP application and has obtained PPP funds from Banco Popular of Puerto Rico (*see, e.g.*, Dkt. 33, 38, 70). Thus, the Court’s extension of the

temporary restraining order on these facts does not conflict with Defendant's statement that the U.S. Small Business Administration does not have the authority to guarantee PPP loans on applications filed after June 30, 2020, absent enacted legislation extending its authority."¹

Defendants have spoken with counsel for Plaintiff and understand that Plaintiff does not oppose the inclusion of this language so long as the provisions set forth in the Court's May 8, 2020 temporary restraining order remain in effect while this Court is considering this matter.

Dated: July 2, 2020

Respectfully submitted,

UNITED STATES OF AMERICA

JOSEPH H. HUNT
Assistant Attorney General
Civil Division

W. STEPHEN MULDROW
United States Attorney

s/Rafael J. López-Rivera
Rafael J. López-Rivera
Assistant United States Attorney
USDC-PR No. 221213
UNITED STATES ATTORNEY'S OFFICE
Torre Chardón, Suite 1201
350 Carlos Chardón Street
San Juan, Puerto Rico 00918
Phone Number: (787)766-5656
Facsimile: (787)766-6219
rafael.j.lopez@usdoj.gov

Pedro Jaime López-Bergollo
Special Assistant US Attorney
USDC No. 231412
273 Ponce de León Ave., Suite 510
Plaza 273
San Juan, PR 00917-1930

¹ The United States notes that there is pending legislation that could potentially extend the deadline for submitting PPP applications to August 8, 2020. But at the time of the filing of this Notice, this legislation has not yet been signed by the President.

Tel.: 787-766-5269

Email: pedro.lopez-bergollo@sba.gov

RUTH A. HARVEY

Director

MARGARET M. NEWELL

Assistant Director

MICHAEL TYE

Trial Attorney (G03112)

United States Department of Justice

Commercial Litigation Branch,

Civil Division

P.O. Box 875, Ben Franklin Station

Washington, DC 20044-0875

(202) 305-2419

Michael.Tye@usdoj.gov

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 2, 2020, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all CM/ECF participants.

/s/ Michael Tye

Commercial Litigation Branch
Civil Division
United States Department of Justice